



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

August 04, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

34 August 4, 2015


PATRICK O'GAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

RESOLUTION OF SUMMARY VACATION ALVARO STREET SOUTH OF IMPERIAL HIGHWAY IN THE UNINCORPORATED COMMUNITY OF WILLOWBROOK (SUPERVISORIAL DISTRICT 2) (3 VOTES)

SUBJECT

This action involves the proposed vacation of Alvaro Street south of Imperial Highway in the unincorporated community of Willowbrook, which is no longer needed for public use.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for public road and highway purposes on Alvaro Street south of Imperial Highway in the unincorporated community of Willowbrook has been impassable for vehicular travel for five consecutive years and no public money has been expended for maintenance during such period and that it may, therefore, be vacated, pursuant to Sections 8331(a) and (b) of the California Streets and Highways Code.
3. Find that the easement for public road and highway purposes on Alvaro Street south of Imperial Highway in the unincorporated community of Willowbrook has been determined to be excess with no in-place public utility facilities and not required for street or highway purposes and that it may, therefore, be vacated, pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the easement for public road and highway purposes on Alvaro Street south of Imperial Highway in the unincorporated community of Willowbrook is not useful as a nonmotorized transportation facility as required by Section 892 of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation (Conditional), pursuant to Section 8324 of the California Streets and Highways Code.

6. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate the easement for public road and highway purposes on Alvaro Street south of Imperial Highway (Easement) in the unincorporated community of Willowbrook, since the Easement no longer serves the purpose for which it was dedicated and is not required for public use. The vacation will then result in the property being unencumbered of the excess easement, thereby allowing for improvements to the property.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted on May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 10,229 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easement was acquired by dedication in Tract No. 7714, Book 89, pages 31 and 32, of Maps, recorded on February 29, 1924, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for public road and highway purposes.

Mr. Joe Podegracz, P.E., of Joe Engineering, on behalf of Century Community Children's Centers Inc., the underlying property owner, requested the vacation to provide for additional buildable area. The vacation will result in the property being unencumbered of the excess easement, thereby allowing for improvements to the property.

The California Streets and Highways Code Sections 8331(a) and (b) provide that the legislative body of a local agency may summarily vacate a street or highway if, for a period of five consecutive years, the street or highway has been impassable for vehicular travel and no public money has been expended for maintenance on the street or highway during this period.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes.

The California Streets and Highways Code Section 892(a) provides that rights of way established for other purposes by cities, counties, and local agencies shall not be abandoned unless the governing body determines that rights of way or parts thereof are not useful as a nonmotorized transportation facility. A nonmotorized transportation facility is defined in Section 887 of the California Streets and Highways Code as a facility designed primarily for the use of pedestrians, bicyclists, or equestrians.

The proposed vacation is conditioned upon the underlying property owner merging affected lots to eliminate the potential of any parcel being landlocked. This condition must be met to the satisfaction of the Department of Public Works within 12 months of the date this resolution is adopted by the Board, or the vacation will terminate and become null and void. Public Works will record the enclosed resolution upon satisfaction of the condition.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement and will result in the property being unencumbered by the Easement and available to the property owner for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that the class of projects consisting of minor alternations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
ALVARO STREET SOUTH OF IMPERIAL HIGHWAY
(Conditional)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for public road and highway purposes, (hereinafter referred to as the Easement) in, over, and across the real property as legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement south of Imperial Highway is located in the unincorporated community of Willowbrook in the County of Los Angeles, State of California.
2. The Easement has been impassable for vehicular travel for five consecutive years and no public money has been expended for maintenance during such period.
3. The Easement has been determined to be excess with no in-place public utility facilities and not required for public street or highway purposes.
4. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
5. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
6. The proposed vacation is conditioned upon the underlying property owner merging affected lots to eliminate the potential of any parcel being landlocked. This condition must be met to the satisfaction of the Department of Public Works within 12 months of the date this resolution is adopted by the Board, or the vacation will terminate and become null and void.
7. Upon the satisfaction of the above condition, the Director of Public Works or her designee is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will be terminated.
8. From and after the date this resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 4th day of August 2015 adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

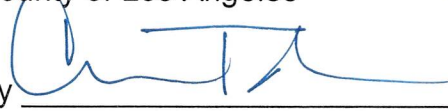
MARY WICKHAM
Interim County Counsel

By


Deputy

PATRICK OGAWA
Acting Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By


Deputy



NS:tw

EXHIBIT A

Project name: **ALVARO STREET SOUTH OF
IMPERIAL HIGHWAY 1-1VAC**
A.M.B. 6148-006-Alvaro St (por)
T.G. 704-F7
I.M. 084-197
R.D. 241
S.D. 2
M0488125

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of easement for public road and highway purposes):

Part A:

That portion of Alvaro Street, 50 feet wide, as shown on map of Tract No. 7714, recorded in Book 89, pages 31 and 32, of Maps, in the Office of the Registrar-Recorder/County Clerk of the County of Los Angeles, bounded northerly by a line parallel with and 20 feet southerly, measured at right angles, from the straight line in the northerly boundary of Lot 65 of said tract, and bounded southerly by the following described line:

Beginning at a point in the southwesterly line of Lot 62 of said tract, distant along said southwesterly line South 43°26'02" East 17.56 feet from the most westerly corner of said Lot 62; thence South 80°39'21" West 60.38 feet to the northeasterly line of Lot 43 of said tract.

Part B:

That certain parcel of land in said Lot 65, described in deed to the County of Los Angeles for public road and highway purposes, recorded on July 13, 1961, as Document No. 4007, in Book D1285, page 291, of said Official Records.

Total area of PARCEL 1-1VAC, having 2 parts, containing: 10,229± square feet.

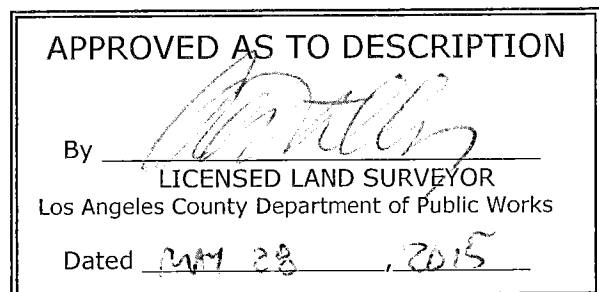
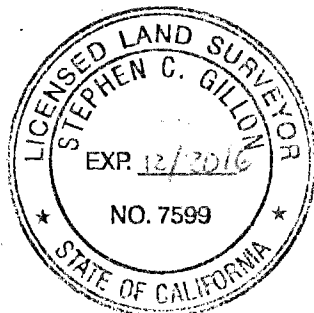
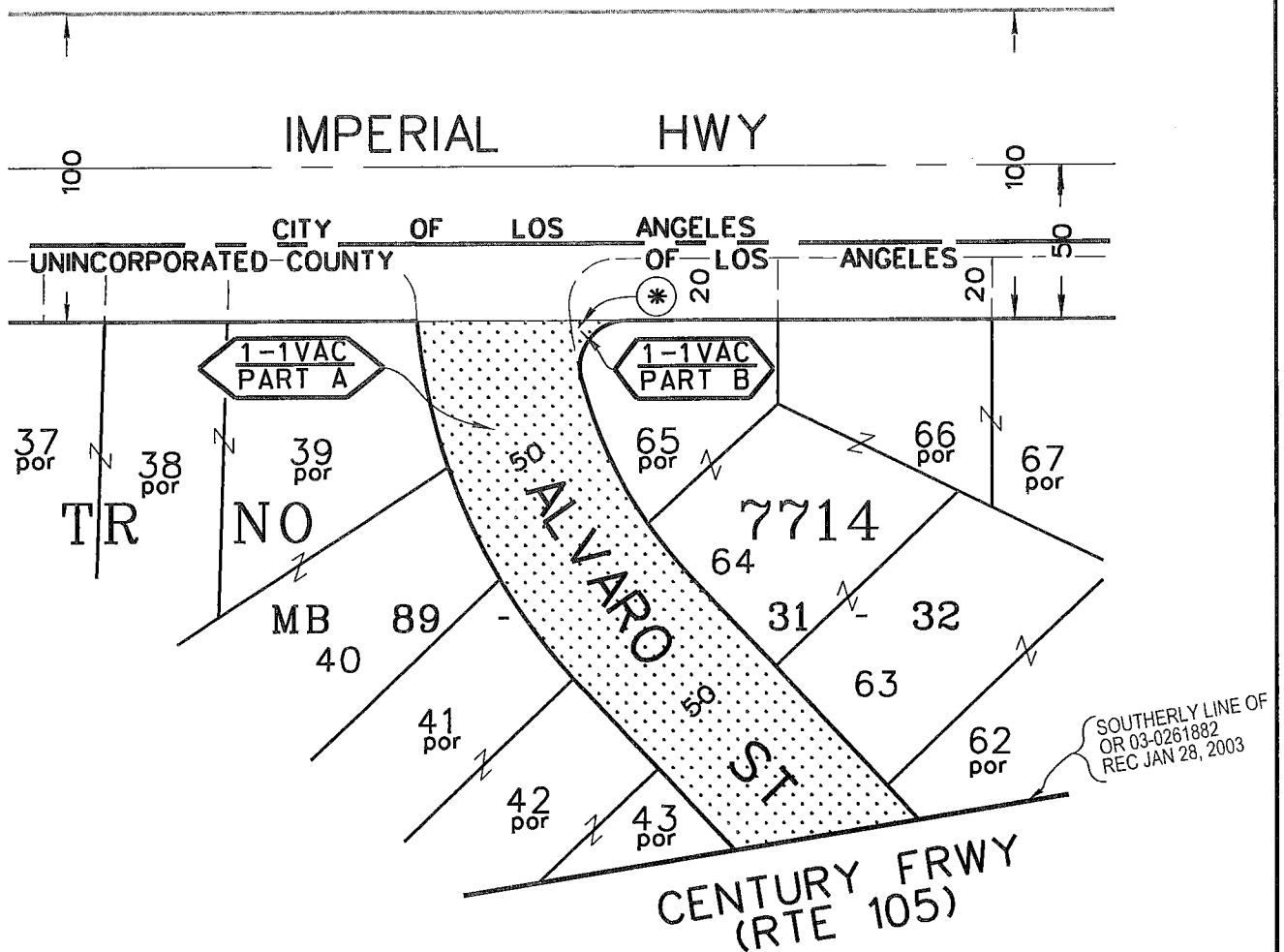


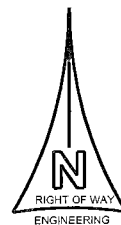
EXHIBIT B



NOTE:



OR D1285-291
INST. NO. 4007 (07/13/61)
COUNTY OF LOS ANGELES
EASE-ROAD



ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 704-F7
I.M. 084-197
S.D. 2
R.D. 241

ALVARO STREET
SOUTH OF IMPERIAL HIGHWAY

BY: *[Signature]*
LICENSED SURVEYOR

5/28/15
DATE

LEGEND



PARCEL NO. 1-1 VAC
AREA TO BE VACATED
TOTAL AREA = 10,229± SF.

DATE
05-26-15

SCALE:
1" = 60'

A.M.B.
6148-006

PREPARED BY: N. SALAZAR

PROJECT I.D.
MPV0000156

PROJECT NO.
M0488125